

Appl. No. 10/765,825  
Amdt. Dated Jul. 12, 2005  
Reply to Office Action of April 12, 2005

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## REMARKS/ARGUMENT

### I. Status of the Claims

Claims 1-43 are pending.

Claims 1-43 stand rejected.

Claims are amended. No new matter has been introduced with the amendments. Entry of the amendment to the claims is respectfully requested.

### II. Rejections Under 35 U.S.C. § 112

Claims 1-43 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Claims 1, 19 and 38 are rejected for being indefinite for the use of the term "conventional square groove." Applicants' amend claims 1, 19 and 38 to clarify that a square groove has sides perpendicular to the club face as defined by the term "square."

Claim 11 is rejected for being indefinite for depending on claim 10 with a broader range than present in

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claim 10. Applicants address this by the amendment of claim 10 to correct the range.

Claim 27 is rejected for being indefinite for not providing proper antecedent basis for a second surface angle. Applicants traverse this rejection because claim 27 has proper antecedent basis because it is properly introduced for the first time in claim 27.

Claim 33 is rejected for being indefinite for not having proper antecedent basis for edge spacing. Applicants amend claim 33 to correct the antecedent basis.

Claim 37 is rejected for being indefinite because "said increased volume groove" has an improper antecedent basis. Claim 37 has been amended to correct its dependency from claim 1 to claim 19 as was intended.

Claim 39 is rejected as being indefinite. Claim 39 is amended to correct the dependency.

Claims 14-18 and 23-37 are indefinite for claiming a ball when they depend upon a club claim. Applicants' traverse rejection of claims 14-18 and 23-37 because no ball is claimed.

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### III. Rejections Under 35 U.S.C. § 103

Claims 1-13, 19-33, and 38-42 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawamatsu in view of Official Notice. Applicants' traverse the rejection as improper because the combination of Kawamatsu in view of official notice is improper as it is a conclusory statement based upon hindsight reasoning. Applicants respectfully request a sworn declaration from the examiner regarding the facts around Official Notice or to provide an actual reference to motivate one to produce the Applicants' invention.

A prima facie case of obviousness produced by a combination of a teaching of the references has not been provided and therefore the claims are allowable. Reconsideration and removal of the rejection of claims 1-13, 19-33, and 38-42 under 35 U.S.C. 103(a) are respectfully requested.

Claims 1 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Galloway. Applicants' agree with the examiner that the Galloway reference does not teach the Applicants' claimed invention and therefore it is improper as it is a conclusory statement based upon hindsight reasoning. Applicants respectfully request a

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sworn declaration from the examiner regarding the facts around how one skilled in the art would know this without a reference teaching to this effect or to provide an actual reference to motivate one to produce the Applicants' invention.

A prima facie case of obviousness has not been provided as admitted by the examiner and therefore the claims are allowable. Reconsideration and removal of the rejection of claims 1 and 14 under 35 U.S.C. 103(a) are respectfully requested.

Claims 1, 15-16, 18-19 and 35-36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishimura in view of Molitor. Applicants traverse the rejection for failing to teach each and every element of the Applicants claims. The Applicants claims are not taught by the combination of references that are not drawn to rigidity of a hollow club, but to the grooves.

A prima facie case of obviousness has not been provided as admitted by the examiner and therefore the claims are allowable. Reconsideration and removal of the rejection of claims 1, 15-16, 18-19 and 35-36 under 35 U.S.C. 103(a) are respectfully requested.

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Claims 19 and 34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Antonius in view of Horwood. Applicants traverse the rejection for failing to teach or motivate one skilled in the art to produce the Applicants claimed invention. The Applicants claims are not taught by the combination of references.

A prima facie case of obviousness has not been provided and therefore the claims are allowable. Reconsideration and removal of the rejection of claims 19 and 34 under 35 U.S.C. 103(a) are respectfully requested.

Claims 42-43 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kawamatsu in view of Official Notice further in view of Horwood. Applicants' traverse the rejection as improper because the combination of Kawamatsu in view of official notice and Horwood is improper as it is a conclusory statement based upon hindsight reasoning. Applicants respectfully request a sworn declaration from the examiner regarding the facts around Official Notice or to provide an actual reference to motivate one to produce the Applicants' invention.

A prima facie case of obviousness produced by a combination of a teaching of the references has not been provided and therefore the claims are allowable.

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Reconsideration and removal of the rejection of claims 42-  
43 under 35 U.S.C. 103(a) are respectfully requested.

**BEST AVAILABLE COPY****IV Conclusion**

Based on the foregoing, it is respectfully requested that all rejections be withdrawn and the application be passed to issue.

Respectfully submitted,

Lorusso & Loud

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Dated: 12 JUL 05

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Jeffrey D. Washville